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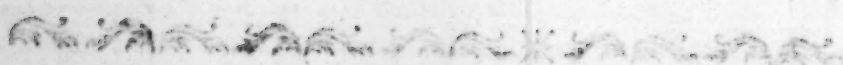
S K E T C H
O F T H E
H I S T O R Y
O F

TWO ACTS OF THE IRISH PARLIAMENT, TO PRE-
VENT THE FURTHER GROWTH OF POPERY.

TO WHICH IS ADDED

THE CIVIL AND MILITARY
ARTICLES OF LIMERICK.





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O F

TWO AGES OF THE GREAT EMPIRE TO BE
WENT AND FORTHWITH GROWN TO BE

AS WELL AS

THE CIVIL AND MILITARY
ARTICLES OF AMERICA

AT THE END OF THE

W Ireland Anne Limerick

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A
S K E T C H
O F T H E
H I S T O R Y
O F

TWO ACTS OF THE IRISH PARLIAMENT, OF
THE 2d AND 8th OF QUEEN ANNE, TO
PREVENT THE FURTHER GROWTH OF POPERY:

I N A
L E T T E R
T O A
M E M B E R
O F T H E
HOUSE OF COMMONS IN IRELAND.

TO WHICH ARE ADDED,
THE CIVIL AND MILITARY
ARTICLES OF LIMERICK.

————— *Hinc illæ Lacrymæ!*

L O N D O N:
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M DCC LXXVIII.

THE HISTORY OF

THE CITY OF

NEW-YORK

FROM THE FIRST SETTLEMENT

TO THE PRESENT

BY

J. C. HEATON

NEW-YORK

AND

ALBANY

1853

A

L E T T E R
T O A

MEMBER OF THE HOUSE OF COMMONS
IN IRELAND.

S I R,

IN our late conference on the Popery Laws, particularly on those of the 2d and 8th of Queen Anne, to prevent the further growth of Popery in Ireland, you seemed displeased, that I did not subscribe to your opinion, “ That these laws were not only “ just and equitable in themselves, but also, “ so necessary a barrier to the protestant “ religion, that were they to be relaxed “ or weakened in the smallest degree, Po-
B pery,

“ pery, with all its dismal consequences,
 “ would irresistibly break in upon us.”

I confess that, besides the general, but groundless, prepossession in favour of that opinion, and the title of the acts themselves, some passages in their history seem to discover a like sentiment in the original framers of them; for the duke of Ormond, then Lord Lieutenant of Ireland, on passing the first of these acts, acquainted the Parliament, (a) “ That her Majesty, by
 “ giving her royal assent to it, did, as far
 “ as lay in her power, *establish their religion*
 “ for the time to come.” And the Commons on the same occasion, not only (b)
 “ thanked his grace for his *signal care of*
 “ *their religion*, but also congratulated him
 “ on the great glory and felicity which he
 “ acquired, by being thus made the instru-
 “ ment, under the queen, of giving a more
 “ lasting security to the *protestant religion*,
 “ than it *ever had since the Reformation*.”

His Grace, indeed, was justly intitled to this congratulation, for when the Commons,

(a) Com. Journ.

(b) Ib. vol. III. f. 201.

mons, in a body, waited upon him with this bill, to be transmitted into England, he gave them his promise, (c) "That he
 " would recommend it in the most *effectual*
 " manner; and do every thing in his
 " power to *prevent the further growth of*
 " *Pöpery.*"

There is no room to doubt of the duke of Ormond's having always professed himself a zealous, and stedfast protestant; but what evidently shows, that his civil orthodoxy was not the more to be relied upon, on that account; and that it was not from any real attachment to the established church, that he took so active a part in procuring this barrier to the protestant religion, is his afterwards deserting his protestant king, and adhering to a popish pretender to his throne, for which the Irish Commons (d)
 " unanimously voted him guilty of High
 " * Treason; his estate to be vested in
 " the crown; and that a reward of ten
 " thou-

(c) Com. Jour. vol. III. f. 201. (d) Ib. vol. IV. f. 64.

* This idol of the Irish Commons in 1704, became afterwards in 1715, the object of their detestation and contempt.

“ thousand pounds should be offered for
 “ apprehending him, in case he landed in
 “ any part of Ireland.”

But there seems to be something burlesque,
 in bringing the reformation into the above
 address

tempt. In their address to the king that year, there are
 the following remarkable words: “ It is with the utmost
 “ concern we find, that this country has been *so unfortun-*
 “ *nate as to give birth to James Butler*, late duke of Or-
 “ mond, a person who, in despite of his allegiance, and
 “ the obligations of *repeated oaths*, has been one of the
 “ *chief authors* and fomentors of the wicked, and unnatu-
 “ ral rebellion now begun in Great Britain.” Com. Jour.
 vol. IV. f. 21.

“ The Catholics of Ireland,” says a late ingenious writer
 on this occasion, “ were left to the merciless zeal of the
 “ duke of Ormond, who, *regardless of public faith*,
 “ *and the articles of the capitulation of Limerick*, formed,
 “ and had enacted a body of penal statutes—through which
 “ there runs such a vein of ingenious cruelty, that they seem
 “ to be dictated by some prætor of Dioclesian or Spanish in-
 “ quisitor, rather than by a British nobleman—The duke
 “ thought, perhaps, to atone for immoralities, by en-
 “ tailing misery on a considerable part of the Irish na-
 “ tion. In his expedition on the coast of Spain, his sol-
 “ diers committed many outrages, and profanations of what
 “ was thought sacred by the inhabitants—Yet, after the
 “ bill of attainder had passed against him, he fled for pro-
 “ tection to *that country*, where he had connived at the
 “ sacrilegious excesses of his army; and afterwards retired
 “ to Avignon, *a territory belonging to the first prelate of*
 “ *that church, which he had treated with so much cruelty.*”
 Consider. on the Penal Laws against R. Catholics.

address of thanks to his Grace, for having obtained a penal law against the exercise of the popish religion. All the world knows that the reformation took its rise from freedom of enquiry, and the right of private judgment: and that the penalties inflicted by the church of Rome, on all who differ from her in doctrine, or discipline, was one of the principal motives of our quitting her communion; and shall we pretend to propagate, or support the reformed religion, by means that are inconsistent with those, which confessedly gave birth to the reformation itself? Is it right in us to inflict pains and penalties on papists, for difference of opinion in religious matters, while we upbraid and condemn them, for having formerly inflicted them upon us, on the same account? must we give up a fundamental principle of the protestant religion, and adopt a popish one, for the defence and propagation of the protestant religion? and yet, Sir, such glaring absurdity and contradiction will necessarily follow from our enacting, or executing penal laws, against the exercise of the popish religion.

But

But to come to the particular laws in question, so far am I from thinking them just, or equitable in any respect, that I shall endeavour to demonstrate to you, first, that they were consciously framed in violation of the public faith, and against natural right; and secondly, that instead of bringing honour, or support, to our established religion, they have a manifest tendency to weaken, and disgrace it, by dissolving entirely those moral, and religious ties, which christians of all denominations have hitherto believed to be indispensably binding on the consciences of men.*

For this purpose, give me leave, Sir, to remind you, that by the first of the Civil Articles of Limerick (which, upon the surrender of that city, were freely, and solemnly entered into, in the year 1691, with

* That great and eminent lawyer, lord Camden, not long since, took occasion, in the House of Lords, to declare publicly, that these laws "were a heap of monstrous absurdities, and vile oppression; subversive of the moral duties between man and man; and a profanation of whatever is held most sacred in religion."

with general Ginckle, commander in chief of their majesties K. William and Q. Mary's forces in Ireland, in conjunction with the then lords justices; and afterwards confirmed by the * King and Queen) "It was stipulated, and agreed, that *the Roman Catholicks of that kingdom* should enjoy such privileges in the exercise of their religion, as were consistent with the laws of it (then in being) or as they did enjoy in the reign of † King Charles II. and that their Majesties, as soon as their affairs would permit them to summon a parliament there, would endeavour to procure the said Roman catholicks such *further security* in that particular, as might preserve them

* In their Majesties confirmation of these articles are the following words: "And as to such parts thereof, for which an act of parliament shall be found to be necessary, we shall recommend the same to be *made good by parliament*, and shall give our royal assent to any bill or bills, that shall be passed by our two houses of parliament for that purpose."

† In the reign of Charles II. by the laws then in force all the papists of Ireland had the same liberty, that any of their fellow-subjects had, to purchase any manors, lands, tenements, hereditaments, leases of lives, or for years, or any other thing of profit whatsoever."

“ them from *any disturbance* on account of
 “ their religion.” And by the eleventh of
 the same articles, “ the lords justices, and
 “ general Ginckle did undertake to use
 “ their utmost endeavours, that these arti-
 “ cles should be ratified, and confirmed in
 “ parliament.”

This surrender, Sir, of Limerick, and
 the other garrisons possessed by the Irish
 for King James, happened at a most fa-
 vourable conjuncture for King William;
 who was then engaged in a war with
 France; * a fleet, sent by Lewis XIV.
 to the relief of Limerick, having arrived
 in Dingle-bay a day or two after the arti-
 cles were signed; which, had it got safe up
 to the town a day or two before, would have
 protracted the Irish war, to the great dis-
 appointment, and obstruction of K. William’s
 foreign designs. (f) “ This fleet con-
 sisted,

* Harris’s life of K. William, f. 353. “ But a few days
 “ before the surrender of the town, they were encouraged
 “ by new intelligence of twenty ships of war speedily to arrive
 “ (from France) under the command of Monsieur Chateau
 “ Renault.” Leland Hist. of Irel. vol. 3d. p. 610.
 (f.) Harris’ life of K. William.

“ lifted, as appears by the minutes of a letter
 “ from the lords justices to the king, of eight-
 “ teen ships of war, six fire-ships, and twen-
 “ ty great vessels of burthen; and brought
 “ on board between 8 and 10,000 arms, 200
 “ officers, and 3000 men.” I mention these
 particulars, to shew you, of how great im-
 portance this capitulation was, at that
 juncture, to those who afterwards thought
 it necessary, for the advancement of the
 protestant religion, to make a public, and
 permanent breach, by a law, in the first
 principal article of it.

But the infringement of these articles,
 on the part of government, commenced
 very early after they were signed; and
 it was afterwards repeated, from time to
 time, in such a manner, as prepared the
 minds of the people to receive with
 less surprize, the total violation of them
 by the acts to prevent the further growth
 of popery, which were even then in con-
 templation.

For although by the first military arti-
 cle, “ it was agreed, that all persons, of
 “ what quality soever, that were willing
 C “ to

“ to leave the kingdom, should have free
 “ liberty to go into any country beyond the
 “ seas (England and Scotland excepted)
 “ *with their families* ;” yet, it is confessed
 that the lords justices, and general
 Ginckle, endeavoured to render this arti-
 cle of as little force as possible, “ for, as
 “ great numbers of the Irish officers and
 “ soldiers had resolved to enter into the
 “ service of France, and to carry their fa-
 “ milies with them, Ginckle would not
 “ suffer their wives and children to be
 “ shipped off with the men; not doubting
 “ but that by detaining the former, he
 “ would have prevented many of the lat-
 “ ter from going into that service.” (g) This
 I say, was, confessedly, an infraction of
 that article.

It appears by a letter of the lords justices
 of the 19th of November 1691, not quite
 two months after the signing of the arti-
 cles, “ that their lordships had received
 “ complaints from *all parts of Ireland*, of
 “ the

(g) Harris' life of K. William.

“ the * ill treatment of the Irish who had
 “ submitted, had their majesties protection,
 “ or were included in articles; and that
 “ they were so extremely terrified with ap-
 “ prehensions of the *continuance* of that
 “ usage, that *some thousands* of them, who
 “ had quitted the Irish army, and went
 “ home, with a resolution *not to go* for
 “ France, were then come back again and
 “ prest earnestly to go thither, rather than
 “ stay in Ireland, where, *contrary to the*
 “ *publick faith*, (add these justices) *as well*
 “ *as law, and justice, they were robbed of*
 “ *their substance, and abused in their per-*
 “ *sons.*”

The following curious anecdote concern-
 ing these articles will probably throw some
 light

* About this time, “ the justices of peace, sheriffs, and o-
 “ ther magistrates, presuming on their power in the country,
 “ had, by colour of their authority, in an illegal and arbi-
 “ trary manner, dispossessed several of their majesty’s subjects
 “ *not only of their goods and chattles, but of their lands*
 “ *and tenements*, to the great disturbance of the peace of
 “ the kingdom, subversion of the law, and reproach of their
 “ majesty’s government. The lords justices, therefore, com-
 “ manded such practices to be forborn. Harris. Ib. f. 357.

light on the cause of this early infringement of them. King William, as I have before observed, was at this time engaged in a war with France; but, (b) “ while his
 “ troops were divided, by means of the
 “ Irish war, he could not proceed, with
 “ the desired success, in Flanders; and
 “ therefore, to put a speedy end to that
 “ war, he sent instructions to the lords
 “ justices to issue a declaration, assuring
 “ the Irish of *much more favourable condi-*
 “ *tions*, than they afterwards obtained by
 “ the articles of Limerick, the justices
 “ formed these instructions into a procla-
 “ mation, afterwards styled the *secret pro-*
 “ *clamation*, because though printed, it
 “ was never published, for their lordships
 “ finding Limerick reduced to the condi-
 “ tion of capitulating, *smothered* the pro-
 “ clamation; and hastened to the camp,
 “ that they might hold the Irish to as *hard*
 “ terms, as the king’s affairs would per-
 “ mit. This they effected, and although
 “ (adds my (i) author) they deserved the
 “ thankful acknowledgments of every pro-
 “ testant

(b) Id. ib. f. 372. (i) Ib. ib.

“ testant in the kingdom; yet a party soon
 “ sprung up that inveighed loudly against
 “ the articles. The designing men of this
 “ party quarreled with them, only because
 “ their expectations were disappointed of
 “ raising large fortunes out of the forfei-
 “ tures; but they easily drew a *majority of*
 “ *the protestants* to their side. They thought
 “ the Irish entitled to *no articles*, but what
 “ would expose them to the severest events
 “ of war. They censured the lords jus-
 “ tices, and the general, as if the king
 “ and kingdom were betrayed, *insisting that*
 “ *the articles ought not to be observed*. This
 “ party-war was soon declared from the
 “ pulpit. (*k*) Doctor Dopping, bishop of
 “ Meath, preaching before the justices in
 “ Christ-church, the sunday after they
 “ had returned from the camp, argued,
 “ that the peace ought not to be observed
 “ with a people so * perfidious. To obvi-
 ate

(*k*) Id. ib.

* This ill opinion of Irish papists was, probably, taken
 from those scandalous libels (then industriously published
 and propagated) on the principles, and actions of such of
 these people as had been concerned in any of the different
 insurrections

“ate this notion, Doctor Moreton, bishop
 “of Kildare, the following Sunday, shew-
 “ed the *obligation of keeping the public faith*.
 “This matter became so much the subject
 “of discourse, that it was necessary to set-
 “tle the people’s opinions on the controverted
 “points ;

insurrections anterior to, or coincident with, the late revolution ; and all the penal laws, since enacted against the exercise of their religion, and the security of their property, seem to have proceeded from the same cause ; but, besides that the Irish papists of this day, are not, certainly, accountable for the principles, or actions, of their predecessors ; that the experience of almost a century has proved them to be good subjects : and that those libels, in which they are traduced, have been clearly shewn to contain nothing else, but gross misrepresentations, or misconstructions, of facts, the mean but natural, effects of party-zeal and malevolence (see Historic. and Critic. Review of the civil wars of Ireland) yet some of the most grievous of these penal laws are still, daily enforced against them. Whereas it is confessed, that both the principles, and actions of those protestants, who call themselves anabaptists, were, originally, rebellious, sanguinary, and utterly subversive of all order, and society (see Dr. Robertson’s life of Charles V. p. 348, &c.) yet, on account of their present peaceable behaviour, and dispositions, they are justly indulged in the full protection of the laws of their country, with respect to both their civil, and religious rights ; and can it be consonant to either the wisdom, or equity, of government, to treat so very differently, two classes of dutiful subjects, for no other reason, but because one of them is called *papish*, and the other protestant.

“ points; and to that end, Dean Singe,
 “ preached in the same church, *keep peace*
 “ *with all men, if it be possible*; and mo-
 “ derated so *judiciously, that no more
 “ was heard of the dispute from the pul-
 “ pit; but in *parliament and council*, the
 “ difference subsisted, until the English
 “ act of resumption quieted the disputants,
 “ who then saw they lost nothing by the
 “ articles.”

Thus, Sir, you see, not only of what
 importance this surrender of Limerick, and
 the other garrisons, was to King William,
 at that period; but also, what doctrine
 was preached from the pulpit, and what
 opinions were maintained in the council,
 and parliament, with respect to the obliga-
 tion of public faith, when engaged to
 Roman

* “ By asserting” (says my author) “ that *the papists*
 “ *were not to be trusted*, but that the articles were to be
 performed.” Ib. A strange way of moderating this! one of
 the contracting parties is not to be trusted, and yet the o-
 ther is obliged to perform. If prejudice had not blinded the
 Preacher, he would have seen that such obligations are al-
 ways mutual, and equally binding on both parties, or not
 binding on either.

Roman Catholics. And that the majority of Protestants, in the ensuing Councils, and Parliaments, adhered to Bishop Dopping's perfidious doctrine, "that the articles of the "Peace ought not to be observed with them," will evidently appear from the constant tenour of their subsequent proceedings against these people; a brief specimen of which I am now going to lay before you.

It is confessed, that so early as (1) "the "year 1693, Lord Capel, one of the Lords "Justices, proceeded as far as it was in his "power, to *Infringe* the articles of Lime-
"rick." In 1695, the same Lord Capel, being Deputy, was held the second Session of the first Irish Parliament, in this Reign. If the Roman Catholics of Ireland expected, at this Juncture, the performance of the King's solemn promise, to procure them such further security from Parliament, as should preserve them from any future disturbance, on account of their Religion (and surely their right to expect it was unquestionable) they were, indeed miserably disappointed.

(1) Harris Ib. f. 350.

appointed. For, instead of performing that promise, his Majesty, on the contrary, suffered such acts and * Resolutions to be passed in that Parliament, as gave them infinite Disturbance, on account of their Religion. But these (*m*) “ were only preparatory steps to the several acts, *then in agitation, to prevent the further growth of Popery.* ” A-
D mong

(*m*) Id. Ib.

* December 1st, 1697. “ Resolved, that part of the Act “ 2d Eliz. Chap. 2d. which obliges every person, not having “ a lawful or reasonable excuse to be absent, to resort every Sunday to Church, and there abide during the time of common prayer, preaching, and other service of God be there ministered, under pain of forfeiting for every neglect, twelve-pence, ought to be put in execution.” Comm. Jour. vol. 2d. f. 984. An additional, and much more grievous, penalty, which delinquents incurred by this Act were the censures of the Church. “ And for the execution thereof (says the act itself) the Queen’s most excellent Majesty, and the Lords Temporal, and the Commons in the present Parliament assembled, do in God’s name, earnestly, require all Archbishops, Bishops, and other ordinaries, that they shall endeavour themselves to the utmost of their knowledge, that the due and true execution thereof may be had throughout their Dioceses, and charges, as they will answer before God for such evils, and plagues, wherewith almighty God may justly punish his people for neglecting this good and *wholesome* Law. See Com. Jour. vol. 2d. f. 983.

mong many other severe Laws, then enacted against Catholics, on account of their Religion, his Majesty gave his Royal assent to that illiberal act to restrain foreign Education, by which it was provided, that, " if any subjects of Ireland should after that Session of Parliament, go, or send, any child, or person, to be educated in any Popish University, College or School; or *in any private family*, or if such Child should, *by any Popish person*, be instructed in the popish Religion; or, if any subjects of Ireland should send money, or other things, *towards the maintenance* of such child, or other person, already sent, or to be sent; every such offender, being thereof convicted, should be *for ever* disabled to sue, or prosecute, any Action, Bill, Complaint, or Information, in law, or equity: be incapable of receiving any legacy, or deed of gift; or being Guardian, Administrator, or Executor, to any person. And besides, that they should *forfeit all their Estates, both Real and Personal* during their Lives. " *

Now

* I have not been able, says Mr. Langrishe, in my researches into Holy writ, to meet with that particular passage of the scriptures,

Now, Sir, when you consider, not only
the general severity of this act, but also,
that

scriptures, which gives us an authority to propagate the faith, by a perversion of morals, nor shall I presume to determine how far it was *ever* justifiable, for the sake of ceremonial uniformity, “to build a *Code of Religious laws*, upon
“the ruin of every moral virtue, and obligation; to sport
“with the most sacred feelings; to violate the fondest pre-
“possessions of the human mind; to seduce even filial duty;
“to tempt the son to become an Interested and base inform-
“er against the *pisty* of his father; and to break the bonds
“of all family affection and fidelity.” Speech in the House of Commons 1772, in a debate for enabling Papists to take building Leases.

The chief, if not only objection to the repeal of these Popery Laws, is that it would give the Papists power and influence. “But suppose, says the same Mr. Langrishe, some
“real and substantial influence were to follow from thence;
“let it be observed, that the same cause which produces this
“influence, does provide against the ill effects of it, for what
“danger can result from conferring a degree of power on
“any man, if in the very same act, and very same propor-
“tion, you involve his interests, and affections in the public
“preservation—Let the Roman Catholics, while they live
“in this country (Ireland) which is the Country of their
“Ancestors, have the ordinary incitements to Industry, and
“give them a just and permanent security in their property,
“which will be the fruit of their industry; and if after all
“our care, the jealous precautions of the Legislature should
“so far fail, as that any *Influence* should follow in conse-
“quence of such security, it is an influence, *which, for their*
“*own sakes*, they will employ in the preservation of a
“Country,

that the words “ in *any* private family ; or “ by *any* popish person,” contained in it, may be construed to imply, that even Roman Catholic parents residing for a time in a popish country, and instructing their children there, in the principles of their religion, are liable, upon their return, to the penalties of it, you must certainly confess, that, if they suffered *no disturbance* from the bare apprehension, to say nothing of the execution, of this act (which, in that, and the succeeding reign, was frequent, and strict) they were, for patience, and resignation, some of the best, and most exemplary christians, then in the known world.

It

“ Country, which they will then be taught to consider as “ *their own* ” — for, “ we may rest assured from our knowledge of human nature, from the experience of every nation in the world, that the *essential Interests*, not the “ *Speculative opinions*, of men, will be their ultimate concern ; and that the wishes, and affections, the hearts “ and the word of every man, will be directed to the defence of that country, which affords him justice, tranquillity, and protection. ”

It is really shameful to see, what mean, * malicious, and frivolous complaints against papists, were received, under the notion of grievances, by that parliament. (n) “ A
 “ petition of one Edward Sprag, and
 “ others, in behalf of themselves *and other*
 “ *protestant porters*, in and about the city
 “ of Dublin, complaining that one Dar-
 “ by Ryan, a *papist*, who dealt in coals,
 “ employed porters of *his own persuasion*,
 “ having been received and read, it was
 “ ordered to be referred to the *examination*,
 “ and *consideration* of the *Committee of*
 “ *Grievances*, and that they should report
 “ their opinion therein to the house.” It
 is observable, that the complaint of the
 petition was not, that these protestant coal
 porters were not employed by Ryan, but
 that the popish coal-porters were.

And yet, Sir, the very same commons,
 that shewed such remarkable deference to
 this

* November 12th 1696. “ Resolved nem. con. that no
 “ papist be protected by any member of this House, as his
 “ penial servant.” Com. Jour. vol. 2d. f. 828.

(n) Com. Journal vol. 2d. f. 699.

this trifling petition of the protestant coal-porters of Dublin, refused to do common justice, in a matter of the last consequence, to that of several of the most respectable Roman Catholic gentry of Ireland. For, upon a bill's being brought into the house, very improperly entitled "an act for the confirmation of the articles of Limerick," (o) a petition of Robert Cusack, gentleman, Captain Francis Seagrave, and Captain Maurice Eustace, in behalf of themselves, and others comprized under the articles of Limerick, setting forth, that in the said bill there were several clauses, that would *frustrate* several parts of the said articles, and deprive the petitioners of the benefit of the same; and, if passed, would turn to the *ruin* of some, and *prejudice* of all persons, entitled to the benefit of said articles; and praying to be heard by council to the said matters, having been presented and read, it was *unanimously* resolved, that said petition should *be rejected*. *

In

(o) Ib. f. 932.

* Although the 6th military article of Limerick expressly provides,

In the same session, (p) “it was resolved, *nemine contradicente*, that the excluding of papists from having votes for the electing of members to serve in parliament was necessary to be made into a * Law,” nothing, certainly, but such a law was wanting, to complete the slavery of these people, beyond all possibility of redemption. And yet these, and several other proceedings of the like enslaving tendency, were permitted and countenanced by a prince, the boasted restorer of liberty to these kingdoms, whose public faith, and honour, were solemnly engaged, to preserve their former priviledges entire, and to endeavour to obtain, from Parliament,

(p) Ib. f. 978.

provides, “that no person whatsoever shall be molested for “any waste, or trespass, by him committed *during the late* “war;” yet on pretence that the bridge of Lauesborough was broken down by the papists under K. James, in that war, a “Bill was ordered into the House of Commons, “October 1703, for charging the estates of papists, *restored by the articles of Limerick*, with the expence of rebuilding it.” Com. Jour. vol. 3d. f. 87.

* Yet afterwards in the session of 1709, in a debate on a disputed election, some members insisted, that papists had a right to vote in such cases. See Com. Jour. vol. 3d. f. 659.

ment, further Security for them, in the article of religion, which was what alone rendered them obnoxious to government.

I know you will tell me, in vindication of your admired hero King William, that no general good has been ever wrought, without the con-comitance of some evil, done to particulars ; that in politics, as in war, deceit may be sometimes lawful : that as K. William's sole design in coming into these kingdoms was to rescue us out of the jaws of those two formidable monsters, popery and slavery, then ready to devour us (which he has effectually done) gratitude for our deliverance ought to make us overlook, and forget, whatever might appear to the eye of bigotry, not strictly justifiable, in the execution of it. To which I answer, not only that it is not clear, that that Prince's *sole* design in coming into these kingdoms, was to rescue us from the two formidable monsters you mention ; but also that it is highly probable, after he had fully attained his principal end in coming, that he privately engaged to expose

pose us to that supposed danger, by promising to re-establish the abdicated family on the throne of Great Britain, after his own decease. Of the grounds of this probability you will be able to judge, by the following secret transaction, which has been but lately brought to light.

(a) “ In the treaty of peace at *Ryswick*,
 “ as King William trusted not his three
 “ plenipotentiaries with his agreement with
 “ France, mankind justly concluded, that
 “ a secret of the last importance had been
 “ for some time depending between the
 “ two kings; time has at length unravel-
 “ led *the mystery*. Lewis, unwilling to de-
 “ sert James, proposed, that the Prince of
 “ Wales, the Pretender, should succeed to
 “ the crown of England, *after the death of*
 “ *William*. The King, *with little hesitation*,
 “ agreed to the request: he *even solemnly en-*
 “ *gaged* to procure *the repeal of the Act of*
 “ *settlement*: and to declare by another act,
 “ *the Prince of Wales his successor to the*
 “ *throne*: those (adds my author) who
 E “ ascribe

(a) Macpherson's History of England.

“ ascribe all the actions of William to pu-
 “ blic spirit, will find some difficulty in
 “ reconciling this transaction to their ele-
 “ vated opinion of his character. In this
 “ one concession to France, he yielded up
 “ all his professions to England; and by an
 “ act of indiscretion, or through indiffe-
 “ rence, deserted the principles to which
 “ he owed the throne.”

It would be irksome to recite the many*
 other instances of the breach of these arti-
 cles, which we find recorded in the Jour-
 nals of that parliament. I shall therefore,
 only mention one remarkable passage, which
 immediately preceded the passing of this
 “ just,

* Though by the 9th civil article of Limerick, the oath
 to be tendered to Roman Catholics, to entitle them to all
 the privileges, and benefits of these articles, was the oath
 of fidelity or allegiance to their Majesties, and *no other*;
 yet it was “ resolved, nem. con. in November 1697, that
 “ some *further* oath, than what was required *by law*, re-
 “ nouncing the *Papal* authority in this kingdom, is neces-
 “ sary for the peace, and quiet thereof.” Com. Jour. vol.
 III. f. 979, and indeed, what a variety of other captious
 oaths has been since devised, to ensnare and corrupt the con-
 sciences of Papists, for the only purpose of propagating and
 maintaining a religion, which is said to owe its very being
 to the freedom, and integrity of conscience!

“just, and equitable” law, (as you are pleased to call it) to prevent the further growth of Popery.

The Roman Catholic citizens of Limerick thought themselves particularly * secured by their articles from any future molestation, on account of their religion, but, besides what they had already suffered, in common with the rest of their countrymen of the same persuasion, they are now compelled to abandon their dwellings and settlements there, *on that single account*, for, (b) “upon a petition of the mayor, sheriffs, “and *Protestant* aldermen of that city complaining” (like the protestant coal-porters of Dublin before-mentioned) “that “they were greatly *damaged in their trade*, “and calling, by *the great numbers* of papists residing there, and praying to be
“ re-

* By the 2d civil article, “the inhabitants, or residents “of Limerick, — of what profession, *trade*, or *calling* *soever they be*, shall, and may use, exercise, and practise their several and respective trades and callings, as freely as they did use, exercise, and enjoy the same in the reign of King Charles the II.

(b) Com. Jour. vol. III. f. 84.

“ relieved therein ; a clause was ordered to
 “ be inserted in the act to prevent the fur-
 “ ther Growth of Popery, that every person
 “ of the Popish Religion, then inhabiting
 “ within the said city, or its suburbs, should
 “ give in *sufficient bail, or security*, before
 “ the chief magistrate of the said city, that
 “ they would bear themselves faithfully
 “ towards her Majesty; or, in default of
 “ giving *such security*, should depart out of
 “ the said city, and suburbs.” *

Now,

* The act itself sets forth, “ that if any person or persons
 “ of the Popish Religion, other than such trading mer-
 “ chants, *not exceeding twenty in each of the said towns*
 “ (Limerick and Galway) as shall be licensed by the chief
 “ governor or governors of this kingdom for the time being,
 “ shall presume to live, dwell, or inhabit, or take any
 “ house or tenement in the city of Limerick or town of
 “ Galway, or the suburbs of either—he, or they, shall for-
 “ feit all his or their goods and chattles, and suffer impri-
 “ sonment for the space of one whole year.” Com. Jour.
 vol. III. f. 133. Sir Theobald Buttler, in his pleading a-
 gainst this bill before the House of Commons, in 1703, ob-
 serves, “ that the Roman Catholic citizens of Limerick were
 “ prohibited by it from living or staying there, *even such*
 “ *as were under the articles*, and by virtue thereof, had
 “ ever since lived there, without giving such security, as
 “ neither these articles, nor any law heretofore in force, do
 “ require,

Now, Sir, besides the difficulty of their getting such security, as, at that period of jealousy and distrust, would be allowed *sufficient* by the chief magistrate, who was himself the *principal petitioner* against them: even those few Popish inhabitants, whose security was unexceptionable, and who, consequently, could not be hindered to continue in their habitations, were yet, soon after, put under a necessity of abandoning them, of their own accord: unless it can be supposed, that trading people can live contentedly, or with any sort of convenience, in a place, where they are forced to remain separate from their wives, children, and servants; for that such was to be the situation of those *few* licensed papists (not more than twenty were suffered to be licensed) is manifest from hence, that, “in (a) March 1704, a petition from the “Roman Catholic inhabitants of Lime-
“rick, praying that *bail* might be taken
“for their wives, children, and servants,
“as inhabitants thereof, having been pre-
“sented

“require, except seamen, fisher-men, and day labourers,
“who did not pay above forty shillings a year, rent.”

(a) Ib. f. 281.

“ sented to the house, and read, it was
 “ ordered to be *rejected*.”

It is worthy of particular notice, that about the time of passing this act to prevent the further growth of popery, several members of the House of Commons, as if ashamed of having been any way concerned in that transaction, resigned their seats; desiring that writs might be issued to chuse other members in their room. And this humour of resigning became so general among them, that it was (*b*) (at last) “ unanimously resolved, that it might be “ made the *standing order of the house*, that “ no new writs for electing members of “ parliament, in the place of members *excusing themselves* from the service of the “ house, do issue *at the desire* of such members, notwithstanding any former precedent to the contrary.” *

Upon

(*b*) Com. Jour. vol. III. f. 296. It had been before resolved, that the excusing of members *at their own request*, from the service of the House, and thereupon issuing out new writs to elect other members, to serve in their places, was of dangerous consequence, and tended to the *subversion* of the constitution of parliament.”

* The second Act to prevent the further Growth of Popery,

Upon the return of this bill to prevent the further Growth of Popery, from England, (a) “ Nicholas Lord Kingsland, Col. John Brown, Col. Burke, Col. Robert Nugent, Major Allen, Capt. Arthur French, with other Roman Catholics of Ireland, and persons comprised in the articles of Limerick and Galway, petitioned to be heard by council against it : which was granted.”

This returned bill had a clause inserted in England, which gave great offence to the whole body of dissenters in Ireland : many of whom, then in the House of Commons, were persons of considerable power and influence ; for this reason, it was expected, that it would have been totally laid aside ; and the rather, because the dissenters had before received some disgust, by a resolution of a committee in October 29th, 1703, (b) “ that the pension of 1200 l. per ann. granted to the presbyterian

pery, was under debate in the House of Commons, from the 10th of May 1709, to the 18th of June following. See Com. Jour. from f. 575, to f. 641.

(a) Ib. f. 173.

(b) Com. Jour. vol. I.I. f. 76.

“presbyterian ministers in Ulster, was an
“*unnecessary* branch of the establishment.”

The dissenters, in their petition to the Commons, on occasion of the above-mentioned clause, complained, “that, to
“their *great surprise and disappointment*,
“they found a clause inserted in the Act
“to prevent the further growth of Popery,
“which had not its rise in that honourable house, whereby they were disabled
“from executing any public trust, for the
“service of her majesty, the protestant
“religion, or their country, unless *contrary to their consciences*, they should receive
“the Lord’s Supper, according to the
“rites and usages of the established
“church.”*

This clause has since been called the sacramental test, then first imposed on the dissenters of Ireland, whose zeal against Popery was so credulously blind, that upon a promise of having it repealed on the first opportunity,

* Presbyterian loyalty *sub finem*, notwithstanding their having since made many strenuous efforts for its repeal. —
Nec lex est justior ulla, quam necis artifices arte perire sua.

opportunity, they readily concurred with the rest in passing (together with the clauses again Popery) that mortifying one against themselves; which as a just judgment for such concurrence, has remained in full force against them ever since. *

On the 23d of February 1703, pursuant to leave given by the Commons, Sir Theobald Buttler, Councilior Malone, and Sir Stephen Rice (the two former in their gowns, as council for the petitioners in general, and the last without a gown, as only petitioner in his private capacity) appeared at the bar of the House of Commons. Sir Theobald Butler, the first, and principal speaker on this occasion, demon-

* This clause, instead of being repealed, was afterwards frequently put in strict execution during Queen Anne's reign. "October 29th 1707, resolved, that by an act to prevent "the further Growth of Popery, the burgesses of *Belfast* are "obliged to subscribe the declaration, and receive the sa- "crament, according to the usage of the church of Ireland." Resolved, "that the burgeship of the said burgesses of "Belfast, who had not subscribed the declaration, and re- "ceived the sacrament *pursuant to the said act*, were by "such neglect, become *vacant*." Com. Jour. vol. III. f. 546.

strated, in a long and pathetic speech, that almost every clause in the Act then before them, relating to the Roman Catholics of Ireland, was a direct infringement of one or other of the articles of Limerick, which he at the same time held in his hand, “articles,” added he, “solemnly engaged to them, as the public faith of the nation—that all the Irish then in arms against the government, had submitted thereunto, and surrendered the city of Limerick, and all other garrisons in their possession; when they were *in a condition to have held out*, till they might have been relieved, *by the succours then coming* out of France: that they had taken such oaths to the King and Queen, as by the same articles, they were obliged to take; that their submission was upon such terms, as ought to be then, and at all times, made good to them; and that therefore, to break those articles, would be the greatest injustice for any one people in the whole world to inflict upon

“ano-

(a) Ib. f. 279. (b) Account of the debates on the Poor Laws.

“ another, being contrary to laws both of
 “ God and * man: that the case of the
 “ Gibeonites, 2 Sam. xxi. 1. was a fear-
 “ ful example of the breach of public
 “ faith; which, above a hundred years
 “ after, brought nothing less than a three
 “ years famine on the land, and stayed not
 “ untill the lives of all Saul’s family attoned
 “ for it. That even among the heathens,
 “ and most barbarous nations all the world
 “ over, the public faith was always held
 “ sacred and binding; and that, surely,
 “ it would find no less regard, in that as-
 “ sembly.”

“ The

* Of the law of gavel kind, (enacted by the 18th clause
 of this bill) Sir Theobald Butler in his pleadings says, it is
 “ a law in itself, *so monstrous*, that I dare say this is the
 “ *first time* it was ever heard of in the world”——“ for
 “ surely, adds he, it is a strange law, which contrary to
 “ the laws of all nations, thus confounds all settlements,
 “ how ancient soever, or otherwise warrantable by all the
 “ laws hitherto in force, in this, or any other kingdom.”

“ Informers are an infamous and odious set of people, and
 “ in fact, the Irish Popery laws, and the construction put
 “ upon them by the Irish lawyers and courts of justice, are a
 “ confused heap of oppression and nonsense, and have very
 “ much contributed to corrupt the morals of the people of
 “ that country.” Lord Chancellor Camden, in the House
 of Lords, February 9th 1775.

The same, and other arguments, against the passing of this bill, were suffered to be pleaded at the bar of the House of Lords; but were equally disregarded by both Houses: the petitioners were told, (a) “that, if they were to be deprived of the
 “benefits of the articles of Limerick, it
 “would be their own faults, since *by com-
 “forming to the established religion*, they
 “would be entitled to these, and many
 “other benefits: and that, therefore, they
 “ought not to blame any but themselves,
 “that the passing of that bill *was needful
 “for the security of the kingdom*; and that
 “there was *nothing in the articles of Lime-
 “rick, that should hinder them to pass it.*”

The former part of this answer, Sir, was, you see, downright mockery, and a public insult on national faith; and, by the latter, a maxim seems to have been adopted, which tends to destroy all trust and confidence among men, viz. that the most solemn engagement between parties may be violated or set aside, by either of
 them,

(a) *Ib.*

them, upon a feigned or groundless apprehension of danger from the other, by keeping it. I call the apprehension of danger, in this case, feigned or groundless, because I think, I may challenge the ablest, and most zealous sticklers for these laws, to produce even one instance of such misconduct of the Roman Catholics of Ireland, from the year 1691, when the articles of Limerick were concluded, to the year 1704, when the first of these laws was passed, as could occasion in the government any real or grounded apprehension of danger or disturbance from them. That no such instance could be then produced, appears from hence, that one of the principal objections to their conduct was, * “their not having
“congratulated

* Ib. Through this whole reign great numbers of Roman Catholics quitted the kingdom, on account of the severe execution of the Popery Laws; and such as were willing to return were not permitted, without license obtained on the hardest terms. In 1713, “ordered to prepare an address “to her majesty, to *desire* her, that she will be pleased not “to grant licenses to *Papists* to return into this kingdom.” Com. Jour. vol. III. It was even dangerous for *them* to attempt, or endeavour to hear what passed in the House of Commons concerning themselves; for in the same year, an order was passed, “that the serjeant at arms should take “into custody all *Papists* that were or should *presume* to “come into the galleries.” Ib. f. 976.

“ congratulated her Majesty Queen Anne,
 “ by a dutiful address, on her accession to
 “ the throne, as her Protestant subjects had
 “ done ;” which as it may be reasonably
 accounted for, from their depressed, per-
 secuted, and desponding condition at that
 juncture ; so, had they actually addressed
 her Majesty on that occasion, in the most
 loyal and affectionate manner, most proba-
 ble it is, that their very accusers would
 have considered and represented it, as the
 mere effect of adulation and hypocrisy, if
 not of insolence and presumption in them.

Persons, who are conscious of having of-
 ten, and openly, broken faith with others,
 have reason to dread, that others will not be
 scrupulously exact in keeping faith with them.
 It was, perhaps, from such consciousness,
 that the government of Ireland, during all
 Queen Anne’s reign, were incessantly ham-
 pering the Roman Catholics with oaths,
 imprisonments, and forfeitures, without
 any other visible cause, but that of their
 * Religion. But the behaviour of these
 people

* What pitiful occasions were then taken, to persecute
 the persons of Roman Catholics from every trifling act, or
 circumstance

people was always found so blameless, that it sometimes made their very persecutors ashamed of their severity. In the year 1708, on the bare rumor of an intended Invasion of *Scotland* by the pretender, no fewer than (b) “*forty one Roman Catholic Noble-men and Gentlemen* were imprisoned in “the Castle of Dublin.” (c) And when they

circumstance, of their Religion, appears from the following passage among many others. There is, it seems, a place of Pilgrimage with them, in the county of Meath, called St. John's well, which is frequented every summer, mostly by infirm men, women, and children, in hopes of being cured of their several disorders, by performing certain acts of devotion, and penance there. This the Irish Commons thought an important object of consideration, and of national concern; and accordingly passed a vote, that these sickly devotees “were assembled there, to the great hazard, “and *danger* of the public peace, and *safety of the kingdom*.” In consequence of which, fines, imprisonment, and whipping, were made the penalties of “such dangerous, and tumultuous, assemblies.” A penance, much more severe, than those poor people probably intended to inflict on themselves; and from which, they could hardly obtain any other cure of their disorders but that universal one death; which in those times of religious rancour, frequently happened, by the extreme rigor of their punishment. Com. Jour. vol. IV.

(b) Com. Jour. vol. IV. f. 371. (c) Ib.

they were afterwards set at Liberty, † (“be-
 “ cause they had acted nothing against the
 “ Government,”) the state was so sensible
 of the wrong done them, by their long,
 and irksome confinement, ‡ “ that it re-
 “ mitted their fees, though they amounted
 “ to eight hundred and odd pounds.”

Soon after the first act to prevent the fur-
 ther growth of popery was passed, the com-
 mons entered into such wild, and intem-
 perate resolutions concerning the execution
 of it, and of other penal statutes, which it
 revives, and confirms, as shew them to have
 been as little directed by common sense, as
 they were by common humanity. In
 March 1704 (d) “ they resolved, unani-
 “ mously, that all Magistrates, and other
 “ persons whatsoever, who neglected, or o-
 “ mitted, to put them in due execution,
 “ were betrayers of the Liberties of the King-
 “ dom.” In June 1705, (e) “ that the say-
 “ ing, or bearing, of Mass, by persons who
 had

† Ib. ‡ Ib. (d) Com. Jour. vol. III. f. 289. (e) Ib. 319.

" had not taken the oath of abjuration,
 " *tended to advance the interest of the pre-*
 " *tender ;* " And, (f) " that such judges, and
 " Magistrates, as willfully neglected to
 " make diligent *enquiry into* and *discover,*
 " *such wicked practices,* ought to be looked
 " upon as enemies to her Majesty's Govern-
 " ment." And lest the Judges at least, if
 not the other Magistrates, should be some-
 what ashamed of executing this new office
 of *enquiring into,* and *discovering,* these wick-
 ed practices of saying and hearing mass, on
 account of that infamy, which is common-
 ly annexed to the trade of Priest-Catchers,
 discoverers, and informers, these commons
 had before taken care, " to resolve *unani-*
 " *mously,* that the prosecuting, and *informing*
 " *against Papists,* was an * HONOURABLE
 G " service

(f) Ib. 289.

* The scheme of the original framers of these popish
 Laws, (and of the present advocates for their continuance)
 was, and is, by their severity, to banish the popish natives
 out of the Kingdom, and introduce foreign protestants, in
 their room. This experiment was tried in the year 1709,
 " for, at the request of the Lords and others of the council,
 " *eight*

“service to the Government.” Such was the good faith, good sense, and avowed honour, of these bigotted times.

How very different from this, Sir, has been the state and condition of the protestants in Germany, ever since the famous Treaty of Munster in 1648; which was concluded with them by the Emperor Ferdinand, on a like stipulation for Liberty of religious worship; and guarantied by *their most Christian, and Catholic Majesties, and other*

“eight hundred and twenty one protestant palatine families were then brought over to Ireland; and the sum of twenty four thousand, eight hundred, and fifty pounds, five shillings and sixpence, appointed for their maintenance, out of the revenue; on a resolution of the Commons,” that it would much contribute to the security of the Kingdom, if the said protestant palatines were encouraged, and settled therein.” But the error of that policy was soon after discovered; for the Lords, in their address to the Queen, in 1711, thankfully observe, *“that her Majesty’s early care had even prevented their own endeavours, to free the nation from that load of debt, which the bringing over numbers of useless, and indigent, Palatines had brought upon them.”* It is remarkable, that only four out of this great number of protestant palatines enlisted in her Majesty’s army; such was the security, which the Kingdom received from them! see Com. Jour. vol. III. f. 879. at this time great numbers of Roman Catholics had been driven out of Ireland by the severity of these Laws.

ther Roman Catholic Princes, and states in Italy, and Germany. (g) “ By this treaty,
 “ all their immunities, lands, territories, and
 “ dignities, together with the absolutely
 “ free, and uncontrouled exercise of their
 “ Religion : as also powers to bear Offices,
 “ and enjoy not only Church-Livings, but
 “ Bishopricks. and Archbishopricks, were
 “ granted, and for ever secured to these
 “ protestants : notwithstanding the Pope’s
 “ Nuncio, then present at Munster, openly
 “ protested against it ; and the Pope him-
 “ self, Innocent X. soon after issued a Bull
 “ declaring its *Nullity*, but this declarati-
 “ on from the Pope (adds my Author) sig-
 “ nified no more than one from *Prester John*
 “ would have done. The Emperor, and
 “ Princes of Germany gloriously stood to
 “ their Treaty ; and took care to see the
 “ same solemnly † ratified, and executed,
 “ notwithstanding

(g) See Sir Peter Pet. Happy state of England. pref.

† “ From hence ” (adds Sir Peter Pet) “ It appears, how
 “ *unstudied those men are in the great Book of the world,*
 “ who think that popish Princes will not go on in the course
 “ of

“ notwithstanding this declaration of its
 “ nullity. They knew the Pope’s nuncio
 “ would soon protest, and the Pope him-
 “ self declare, against the Peace; and there-
 “ fore, had *in terms agreed* therein, “ that
 “ no canons, or decrees of Councils, or con-
 “ cordates

“ of their Politics, *though the Pope should seem in earnest,*
 “ *or in jest to stop them.*” Ib. Let me add, that although
 it be notorious that papal decrees and bulls, touching tempo-
 ral matters, have been often overlooked, or rejected, by
 Roman Catholic Princes, and States, as in the present in-
 stance; yet there are some protestants, who merely through
 hatred of the religion and persons of Roman Catholics, not
 content with these People’s abjuring all civil power, and ju-
 risdiction of Popes, in these Kingdoms; insist also upon their
 abjuring the Pope’s spiritual power; which is in no respect
 whatever concerned in temporal, or political affairs: at the
 same time that they assume a superior spiritual power to them-
 selves, in what they call their christian Liberty of interpret-
 ing the word of God (which is not controulable by any
 earthly authority) in their own sense, in *matters relative to*
civil as well as religious government, which is likely to
 prove much more dangerous, than any spiritual authority of
 the Pope, to protestant Kingdoms and states; it being evi-
 dent from History, that the preposterous exercise of that
 power, has principally occasioned all the rebellions, that have
 arisen in Europe ever since the Reformation. For factions,
 confusions, and rebellion, are the natural consequences of
 such false notions of christian Liberty: which Mr. Adams, in
 his celebrated oration at Philadelphia, in August 1776, thus
 artfully

“ cordates with Popes, or absolutions, should,
 “ in any future time, be allowed against
 “ any article of it.” And accordingly, Sir,
 “ it has been, ever since, religiously ob-
 “ served, in every particular: and, in all
 “ probability, will continue to be so.

Thus, instead of the Pope’s annulling,
 by his bull, the Munster peace *with effect*,
 and

artfully enforces, to his American fellow Rebels, as an argument on which the lawfulness of their insurrection is principally founded. “ Our forefathers, says he, threw off the yoke
 “ of *Popery in Religion*; for you is reserved the honour of
 “ *levelling the popery of Politics*. They opened the Bible
 “ to all, and maintained the *capacity of every man to judge*
 “ *for himself in Religion*. Are we sufficient for the com-
 “ *prehension of the sublimest spiritual truths, and unequal*
 “ *to material and temporal ones? Heaven hath trusted us*
 “ with the management of *things for eternity*, and man denies us ability to judge of the present, or to know from our
 “ feelings and experience what will make us happy” — “you
 “ can discern, say they, objects distant and remote, but can-
 “ not perceive those within your grasp” — “let us have
 “ the distribution of present goods, and cut out, and ma-
 “ nage as you please the interest of futurity” — “This
 “ day, I trust, the reign of *Political Protestantism* will com-
 “ mence. We have explored the Temple of Royalty, and
 “ found that the *Tool we have bowed down to* has eyes
 “ which see not, ears that hear not our prayers, and a
 “ heart like the neither mill-stone.”

and thereby fixing on the papists the odious, imputed doctrine “ of not keeping “ faith with protestants,” you see that doctrine itself was *annulled* in this instance, by the popish princes of France, Spain, and Germany, and I will venture to add, that it is now actually reversed, and may be fairly retorted on their accusers, for the violation of the articles of Limerick.

Need I inform you, Sir, that these laws, under the specious pretence of preventing the growth of Popery, have, in reality, more effectually, prevented the growth of every thing, that is either useful or ornamental, to Ireland; that, instead of promoting true religion, and its genuine effects, private and public virtue, they have given birth to *more hypocrisy*; and under that dangerous disguise, to more of every other species of moral evil, and turpitude, than was before known in this, or any other part of the Christian world—that, by these laws, great rewards are, occasionally, held forth to that vile and detested race of men, *discoverers* and *informers*; who being
thus

thus *legally* countenanced, and encouraged, plunder, indiscriminately, parents, brethren, kinsmen, and friends; in despite of all the ties of blood, of affection, and confidence; in breach of the divine laws, and of all former human laws, enacted in that, or any other kingdom, for the security of property, since the creation of the world.*

You

* The only plausible reason I ever heard for making and continuing these laws, is their tendency to bring the Papists of Ireland to a conformity in religion and loyalty with Protestants; and to weaken and impoverish such of them as had forfeited at the revolution, to so great a degree, that neither they nor their posterity should be ever after capable of giving us any disturbance, in either our civil or religious concerns. As for the first part of this reason, it is notorious, that hypocrisy and disaffection to both our religion and government are the first, and natural effects of such forced conversions; and should even converts, thus made, become at length real Protestants, and good subjects. "Is evil to be done, that good may arise therefrom," in this one instance, when both reason and religion forbid it in every other?—As for the second part, the enacting such predatory laws against Papists, without some overt-act, or proof of their intention at least, even at that juncture, to disturb the government, (which is not even pretended) was by no means justifiable. An enemy might compare such proceeding

You have seen, Sir, that one of the principal causes assigned for enacting these laws against Roman Catholics, was their not having addressed Queen Anne, on her accession to the throne: that cause, frivolous as it then was, cannot, now, be assigned for their continuance. These people, Sir, have often since, and with much better reason, expressed their heart-felt gratitude for the lenity shewn them by that Queen's illustrious successors, the present Royal Family, in humble and dutiful addresses, which have been graciously received. But even these addresses have been maliciously, because consciously, misrepresented. " The professions of loyalty, " and even solemn oaths of Papists (say " their enemies) to Protestant governors, " are insincere and insidious. They are " licenced to make them, but with no " other view, than to propagate their superstition, and supplant the true religion; and when these purposes can be " served

proceeding to the policy of an highway-man, in putting those he had robbed to death, least, if suffered to live, they might afterwards discover, and prosecute him for the robbery.

“ved by acting counter to them, they
 “have dispensations and absolutions at a
 “call.”*

Thus do these doughty advocates for persecution pretend to more wisdom and solicitude for the public safety, than the Legislature itself: which, in proposing the usual oaths to these people, have hitherto imagined, that they were providing for the security of government, and attaching them to it, by the strongest ties that can possibly bind the consciences of men. Whereas, it seems, that by receiving them on such terms, into any degree of trust and confidence, they were giving government's greatest enemies the best opportunity they

H could

* So ridiculously jealous and fearful were the framers of the Acts to prevent the further growth of Popery, of these papal dispensations and absolutions, that they obliged the very *Quakers* to declare against them, “and solemnly to
 “profess and testify they made that declaration with any
 “dispensation *already granted by the Pope*, or hope of its
 “*being hereafter granted*, and without believing that the
 “Pope could *absolve* them from that declaration.” Com-
 Jour.

could have desired, for undermining and betraying it.

But can you, Sir, really believe, that men born with the same feelings, appetites, and passions, as ourselves; and conscious too, that they could have obtained dispensations and absolutions, at a call, for conforming to the established worship, would have voluntarily suffered, during these seventy years past, what all the world knows the Roman Catholics of Ireland have suffered, on account of their non-conformity, in that space of time? I will not believe you capable of thinking such nonsense.

The straining of conscience for worldly advantages, to make it conform outwardly to modes of religious worship, which it inwardly condemns, is a practice unheard of among Roman Catholics; *occasional conformity*, Sir, a principle avowed by some of their most violent accusers, is utterly renounced by them; and they have ever declared themselves ready to abjure, in the most solemn manner, all power on earth,
spiritual

spiritual and temporal, supposed to be capable of dispensing with them, in that respect.*

These

* But of all the evil tenets imputed to Roman Catholics, as peculiar and essential to their religion, the *spirit of persecution* seems most to be dreaded, and is most confidently insisted upon; but how can such a spirit be deemed peculiar to Roman Catholics, when it is notorious, that their very accusers persecute both them, and one another, whenever they have the power and opportunity of doing it? that it is far from being essential to their religion, appears from hence, that their ablest and most orthodox divines, and in particular, their last Pope, Clement XIV. (who surely must be supposed to have known the *essentials* of his religion) condemns it as unchristian, and inhuman. “The great “misfortune in this case is,” says that eminently good and learned Prelate, “that some people *confound religion with* “*her ministers*, and make *her responsible for their faults*; “it never was religion, but false zeal pretending to imitate “her, that seized fire and sword, to compel heretics to abjure their errors, and Jews to become Christians. There “were formerly (he confesses) in the bosom of the church “false zealots, who contended for things not interesting to “the faith; of whom (adds he) Ecclesiastical History furnishes many examples, *sufficient to make us tremble*; for “what is more dreadful, than to see good men fall victims “to a zeal displeasing in the sight of God, *and condemned* | “*by the church*, as equally hurtful to religion, and the “rights of society? the practice of Jesus Christ, (who during his residence on earth, bore patiently with the Sadu-
“cees

These truths are now at length generally known; and they have been of late, so far publickly

“ cees and Samaritans, *the Infidels*, and *Schismatics* of
 “ those times) obliges us to support our brethren, of what-
 “ ever communion they be, to live peaceably with them,
 “ and not to torment them on account of any system of
 “ belief they have adopted. If we forcibly enlist men
 “ into the church, we shall only make them prevaricators,
 “ and hypocrites. The power of the church is purely *spiri-*
 “ *tual*; and this is so true, that the first Christians suffered
 “ themselves to be butchered, rather than rebel against the
 “ edicts of the (Heathen) Emperors: and our blessed Re-
 “ deemer himself, when he prayed for his executioners,
 “ *taught us how his cause is to be avenged*. Had the mi-
 “ nisters of the gospel been always careful to follow that di-
 “ vine model, the enemies of Christianity had not been able
 “ to bring against it the unjust reproach of being a perfe-
 “ cutor. The church always *disavowed* those impetuous
 “ men, who, stirred up by undiscrēt zeal, treat those who
 “ go astray, with asperity; and its most holy bishops, in
 “ all times, solicited the pardon of apostates, desiring *only*
 “ *their conversion*. Men, therefore, ought not to impute
 “ *to the church* those excesses, of which history has preserved
 “ the memory, and which *are repugnant to the maxims of*
 “ *the gospel*.” Ganganelli Lett. v. iv. see particularly his
 Discourse on the Spirit of the Church, and on Religion.
Passim.

I know Voltaire, that noted scoffer at religion and god-
 liness, has written expressly against the authenticity and ge-
 nuineness of these letters; but, besides, that the futility of
 his objections has already been clearly shewn, by the editor
 himself, at the end of the fourth volume; is it at all credi-
 ble,

publicly acknowledged, as to have received a kind of sanction from your legislature. A majority of humane and enlightened members in both houses of your Parliament, having been themselves witnesses of the dutiful behaviour of the body of the Roman Catholics of Ireland, under many painful trials: and conscious, that their long perseverance in such behaviour was the best proof of the integrity of that principle, which has hitherto withheld them from sacrificing conscience, and honour to any temporal interest (since rather than violate either by hypocritical professions,) they have, all their lives, patiently suffered in that particular). These truly patriotic members, I say, influenced by such motives, have caused an * oath to be framed
(the

ble, that Ganganelli's successor, the present Pope, or his inquisitorial court, which is ever exceedingly vigilant, and jealous on much less important occasions of this kind, would have hitherto suffered such an imposture to remain uncensured, especially, if these letters contained any doctrine repugnant to the essential tenets of the Romish religion?

* In the following words, I A. B do take almighty God, and his only son Jesus Christ, my Redeemer, to witness,

(the most certain proof surely, that possibly can be required, or given by men, of the

ness, that I will be faithful, and bear true allegiance to our most gracious Sovereign Lord, George the third, and him will defend to the utmost of my power, against all conspiracies, and attempts whatsoever, that shall be made against his person, crown and dignity; and will do my utmost endeavour to disclose and make known to his majesty and his heirs, all treasons, and traitorous conspiracies, which may be formed against him or them; and I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the crown in his majesty's family, against any person or persons whatsoever; hereby utterly renouncing, and abjuring any obedience or allegiance, to the person taking upon himself the stile and title of Prince of Wales, in the life-time of his father; and who, since his death, is said to have assumed the stile and title of King of Great Britain and Ireland, by the name of Charles the third; and to any other person claiming, or pretending a right to the crown of these realms. And I do swear, that I do renounce and detest, as unchristian and impious to believe, that it is lawful to murder, or destroy any person or persons whatsoever, for or under pretence of their being heretics; and also that unchristian, and impious principle, that no faith is to be kept with heretics. I further declare, that it is no article of my faith, and I do renounce, reject, and abjure the opinion that princes excommunicated by the Pope and council, or by any authority of the See of Rome, or by any authority whatsoever, may be deposed or murdered by their subjects, or by any person whatsoever; and I promise, that I will not hold, maintain or abet any such opinion,

the sincerity of their professions) which without clashing, in the least, with their religious tenets, sufficiently ensures their civil duty, and allegiance.

As the conciliating spirit of the framers of that oath manifestly appears in the preamble to it, I shall take the liberty to insert

nion, or any other opinion contrary to what is expressed in this declarations; and I do declare, that I do not believe that the Pope of Rome, or any other foreign prince, prelate, state, or potentate, hath or ought to have, any temporal or civil jurisdiction, power, superiority or pre-eminence, directly, or indirectly, within this realm; and I do solemnly, in the presence of Almighty God, and of his only son Jesus Christ, my Redeemer, profess, testify and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatever; and without any dispensation already granted by the Pope, or any authority of the See of Rome, or any person whatsoever; and without thinking that I am, or can be, acquitted before God or man; or absolved of this declaration, or any part thereof, although the Pope, or any other person or persons, or authority whatsoever, shall dispense with, or annul the same, or declare that it was null and void from the beginning.

So help me GOD.

fert it here, for your serious and dispassionate revival.

“ Whereas, many of his majesty’s subjects in this kingdom are desirous to testify their loyalty and allegiance to his Majesty, and their abhorrence of *certain doctrines imputed to them*; and to remove *jealousies*, which hereby have for a length of time, subsisted between them, and others his Majesty’s loyal subjects; but upon account of their religious tenets, are by *the laws now in being*, prevented from giving public assurances of such allegiance, and their *real principles*, good will and affection towards their fellow-subjects; in order therefore, to give such persons an *opportunity of testifying their allegiance to his Majesty, and good will towards the present constitution of this kingdom*, and to promote peace and industry among the inhabitants thereof, be it enacted, &c.

This test, so well calculated to answer all the necessary purposes of civil duty and allegiance,

allegiance, has, I am assured, been voluntarily and chearfully taken by great and respectable numbers of the Roman Catholic clergy, nobility, gentry, and people in different parts of that kingdom; whose example, I doubt not, will be soon followed by those few * overscrupulous persons,

* These persons, however, are not more scrupulous in this respect, than several members of parliament, firmly attached to the present constitution in church and state, seemed to be, who made the like objection to some part of the wording of this test, while it was under debate.

Mr. Hercules Langrishe, in his excellent speech in parliament in 1772, on a bill then introduced (but afterwards rejected) to enable Papists to take building leases, says among other things relative to the Popery Laws, " Let us consider that the time is long since past, in which the recovery of an establishment required *oppression for its support*; or the weakness of government wished to *divide in order to subdue*. The time is come, in which you must offer the Roman Catholics one of these two alternatives; you must either suffer them to enjoy the rights of citizens and subjects, or do them the justice to banish them from the country. Do not think of flattering them by the *supineness* of laws, which may at any time be revived against them; and do not expect their gratitude because you are not rash enough to enforce, what you were *unjust* enough to enact against them. Every solid argument (I wish I could say every ideal prejudice too) is now removed, which might in former times have been

" pleaded

sons, who seem as yet to hesitate at some part of the wording, but not at the substance, or real purport of it.

It

“pleaded against them—let us not then continue for
“ever to maintain a system of laws—which are tempered
“in the very bigotry of that religion, which they affect
“to reform—which are too severe to be executed, and
“therefore do not bring security—which, before they can
“operate, must first corrupt, which never can be useful,
“because they are not just. Let us not be so monstrous as
“to suppose, we have a right, for ever to prescribe three
“fourths of the community.”

While the advocates for the continuance of the Popery laws in a free nation, and under a limited monarchy, vindicate this breach of the public faith, how inconsistently do they censure, as perfidious, the revocation of the edict of Nants, by that absolute monarch Lewis XIV. whose will was a law, which the French Protestants knew they were at all times bound, by the constitution of their country, implicitly to obey? Of this uncertainty of the French King's edicts, that eminent Protestant writer, Grotius, was fully sensible, when on that occasion he said, “that he earnestly
“wished such edicts might be always religiously observed,
“but that he would have the Protestants of France to
“know, that they were not to be considered by them as
“treaties or engagements (*foedera*) but merely as declarations of that monarch's will and pleasure, made for public utility, and revocable by him, when ever the welfare
“of the kingdom seemed to require it.” *Discuss. Rivetian*, apologetic. an. 1645, page 21.

It is therefore, Sir, reasonably to be hoped, that by some favourable change or relaxation of these severe laws, government will make a reasonable acquisition of the hearts and hands of more than a million of zealous and able subjects: now not only an useless, but a wasteful burthen to the public; and, by such just and humane condescension, will prevent all future reproach on your legislature, of countenancing the breach of public faith, of stripping men of their property, for not parting with their integrity, fining and imprisoning them for consciencious dissent from settled forms of worship, or for opinions merely speculative in matters of religion; and in short, of making your protestant courts of justice and equity resemble, in these respects, that hated tribunal a Popish inquisition.

LONDON.

I am, Sir, &c.

P. S.

P. S. A word or two more, and I have done. It has been always declared, by the advocates for the continuance of the Popery Laws, that they were at first enacted, and ever since kept in force, not on account of the innoxious speculative tenets of Papists; but merely as a security and defence of government, against their dangerous practical principles. But since these *imputed* practical principles are now solemnly and explicitly abjured; and contrary practical principles as solemnly and explicitly avowed by them, in the present test (which has been proposed by the legislature itself, as amply sufficient for these purposes) it evidently follows, that the Popery Laws can, now, have no other object, but the innoxious speculative tenets of Papists, which it is confessed, can afford no just cause, or even colourable pretence, for that persecution, and distress, which these laws, by executing themselves, must always, and necessarily, bring upon them— On the other hand, what warm returns of gratitude, for the mitigation of these laws, may not be expected from a people, whom

whom their unprovoked severities, for more than seventy years past, have not caused to deviate from any one duty to the government that inflicts them? notwithstanding two dangerous * rebellions have been raised during that period, in favour of a Popish pretender to the crown of these kingdoms; from whose success, they might have reasonably promised themselves some relaxation, if not an entire abrogation of them. And all the reward I am told, they expect for this signal perseverance in duty and allegiance, is to be allowed to partake of that common justice and christian liberty, which even the sectaries among you, and they not the best of subjects neither, are permitted to enjoy by the laws of your country, viz. “ a legal toleration to profess, and openly “ acknowledge, upon every occasion, the “ religion of their consciences, without “ suffering thereby, any loss or prejudice, “ either in their persons or fortunes.” And surely, Sir, that reward cannot in reason be longer withheld from them; for, besides

* In the year 1715, and 1745.

sides what has been already mentioned, how inconsistent must it appear, if the same government, which conscious of the obligation of public faith, and heedless of the clamours of ill designing men, has granted to the Papists of Canada (though remote in their situation, and aliens by birth) the full benefit of their late articles for such toleration, should still continue to deprive those of Ireland (who are its natural-born subjects, residing in the bosom of the empire, and under its immediate inspection) of those advantages, to which they are equally entitled, by the like solemn engagements. Farewell.

LONDON, Sept. 20th, 1777.

THE

THE
CIVIL AND MILITARY
ARTICLES
OF
LIMERICK.

EXACTLY PRINTED FROM THE
LETTERS PATENTS:

WHEREIN

They are ratified and exemplified by their MAJESTIES,
under the GREAT SEAL of ENGLAND.

THE
LIBRARY
OF THE
U. S. ARMY
AND
NAVY

U. S. ARMY
AND
NAVY

EXACTLY AS ISSUED FROM THE

LIBRARY OF THE U. S. ARMY
AND NAVY

THE
LIBRARY
OF THE
U. S. ARMY
AND
NAVY

T H E
CIVIL AND MILITARY ARTICLES
O F
L I M E R I C K.

WILLIAM and Mary, by the Grace of God, &c. *To all* to whom these Presents shall come, Greeting. *Whereas* certain Articles, bearing Date the third Day of *October* last past, Made and Agreed on between Our Justices of Our Kingdom of *Ireland*, and Our General of Our Forces there on the one Part; and several Officers there, Commanding within the City of *Limerick* in Our said Kingdom, on the other Part. Whereby Our said Justices and General did undertake that We should ratify those Articles, within the Space of eight Months, or sooner; and use their utmost Endeavours that the same should be Ratified and Confirmed in Parliament. The Tenour of which said Articles, is as follows, *viz.*

K

A R-

A R T I C L E S

*Agreed upon the third Day of October, One
Thousand Six Hundred and Ninety One,*

Between the Right Honourable Sir *Charles
Porter*, Knight, and *Thomas Conningsby*,
Esq; Lords Justices of *Ireland*; and his
Excellency the Baron *De Ginckle*, Lieu-
tenant General, and Commander in Chief
of the *English* Army; *on the one Part.*

And the Right Honourable *Patrick* Earl
of *Lucan*, *Piercy* Viscount *Gallmoy*, Co-
lonel *Nicholas Purcel*, Colonel *Nicholas*
Cusack, Sir *Toby Butler*, Colonel *Garret*
Dillon, and Colonel *John Brown*; *on the*
other Part:

In the behalf of the *Irish* Inhabitants in the
City and County of *Limerick*, the Coun-
ties of *Clare*, *Kerry*, *Cork*, *Sligo*, and
Mayo.

*In Consideration of the Surrender of the City
of Limerick, and other Agreements made
between*

between the said Lieutenant General Ginckle, the Governor of the City of Limerick, and the Generals of the Irish Army, bearing Date with these Presents, for the Surrender of the said City, and Submission of the said Army: It is agreed, That

ART. I. **T**HE Roman-Catholicks of this Kingdom shall enjoy such Privileges in the Exercise of their Religion, as are consistent with the Laws of *Ireland*; or as they did enjoy in the Reign of King *Charles* the II. And their Majesties, as soon as their Affairs will permit them to summon a Parliament in this Kingdom, will endeavour to procure the said *Roman-Catholicks* such further Security in that Particular, as may preserve them from any Disturbance upon the Account of their said Religion.

ART. II. All the inhabitants or Residents of *Limerick*, or any other Garrison now in the Possession of the *Irish*, and all Officers and Soldiers, now in Arms, under
any

any Commission of King *James*, or those authorized by him, to grant the same in the several Counties of *Limerick, Clare, Kerry, Cork*, and *Mayo*, or any of them ; and all the Commissioned Officers in their Majesties Quarters, that belong to the *Irish* Regiments, now in being, that are treated with, and who are not prisoners of War, or have taken protection, and who shall return and submit to their Majesties obedience ; and *their and every of their Heirs*, shall hold, possess and enjoy, all and every their Estates of Free-hold, and inheritance : and all the Rights, Titles and Interests, Privileges and Immunities, which they, and every, or any of them held, enjoyed, or were rightfully and lawfully intitled to, in the Reign of King *Charles II.* or at any time since, by the Laws and Statutes that were in Force in the said Reign of King *Charles II.* and shall be put in possession, by order of the Government, of such of them as are in the King's Hands, or the Hands of his Tenants, without being put to any suit or trouble therein ; and all such Estates shall be freed and discharged from all arrears
of

of Crown-rents, Quit-rents, and other publick charges, incurred and become due since *Michaelmas* 1688, to the day of the date hereof: And all Persons comprehended in this *Article*, shall have, hold, and enjoy all their Goods and Chattels, real and personal, to them, or any of them belonging, and remaning either in their own hands, or the hands of any persons whatsoever, in trust for, or for the use of them, or any of them: *And all and every the said persons, of what Profession, Trade, or Calling soever they be*, shall and may use, exercise and practise their severall and respective Professions, Trades and Callings, as freely as they did use, exercise and enjoy the same in the Reign of King *Charles II.* Provided, that nothing in this *Article* contained, be construed to extend to, or restore any forfeiting person now out of the Kingdom, except what are hereafter comprized: Provided also, That no person whatsoever shall have or enjoy the benefit of this *Article*, that shall neglect or refuse to take the Oath of Allegiance, made by act of Parliament
in

in *England*, in the first year of the Reign of their present Majesties, when thereunto required.

ART. III. All Merchants, or reputed Merchants of the City of *Limerick*, or of any other Garrison now possessed by the *Irish*, or of any Town or Place in the Counties of *Clare* or *Kerry*, who are absent beyond the Seas, that have not bore arms since their Majesties declaration in *February* 1688, shall have the benefit of the second article, in the same manner, as if they were present; *provided*, such Merchants, and reputed Merchants, do repair into this Kingdom within the space of eight months after the date hereof.

ART. IV. The following Officers, *viz.* Colonel *Simon Lutterel*, Captain *Rowland White*, *Maurice Eustace* of *Yermanstown*, *Chievers* of *Maystown*, commonly called *Mount-Leinster*, now belonging to the Regiments in the aforesaid Garrisons and quarters of the *Irish* army, who were beyond the Seas, and sent thither upon affairs
of

of their respective Regiments, or the *Army* in general, shall have the benefit and advantage of the second article; *provided* they return hither within the space of eight months from the date of these presents, and submit to their Majesties Government, and take the above mentioned oath.

ART. V. That all and singular, the said Persons comprized in the second and third articles, shall have a general pardon of all Attainders, Outlawries, Treasons, Misprisions of Treason, Premunires, Felonies, Trespases, and other Crimes and Misdemeanors whatsoever, by them, or any of them, committed since the beginning of the Reign of King *James* II. and if any of them are attainted by Parliament, the Lords Justices, and General, will use their best endeavours to get the same repealed by parliament, and the outlawries to be reversed *Gratis*, all but writing-clerks Fees.

ART. VI. And whereas these present wars have drawn on great violences on both parts, and that if leave were given to the
bringing

bringing all sorts of private actions, the animosities would probably continue, that have been too long on foot, and the publick disturbances last : for the quieting and settling therefore of this Kingdom, and avoiding those inconveniences which would be the necessary consequence of the contrary, no Person or Persons whatsoever, comprized in the foregoing articles, shall be sued, molested, or impleaded at the suit of any party or parties whatsoever, for any trespasses by them committed, or for any Arms, Horses, Money, Goods, Chattels, Merchandizes, or Provisions whatsoever, by them seized or taken, during the time of the war. And no Person or Persons whatsoever, in the second or third articles comprized, shall be sued, impleaded, or made accountable for the Rents or mean Rates of any Lands, Tenements, or Houses, by him or them received, or enjoyed in this Kingdom, since the beginning of the present war, to the day of the date hereof, nor for any waste or trespass, by him or them committed in any such Lands, Tenements, or Houses :
and

and it is also agreed, that this article shall be mutual, and reciprocal, on both sides.

ART. VII. Every Nobleman and Gentleman comprized in the said second and third articles, shall have liberty to ride with a Sword, and case of Pistols, if they think fit; and keep a Gun in their Houses, for the defence of the same, or for Fowling.

ART. VIII. The inhabitants and residents in the city of *Limerick*, and other Garrisons, shall be permitted to remove their Goods, Chattels, and Provifons, out of the same, without being viewed and searched, or paying any manner of duties, and shall not be compelled to leave the Houses or Lodgings they now have, for the space of six weeks next ensuing the date hereof.

ART. IX. The oath to be administered to such *Roman-Catholicks* as submit to their Majesties Government, shall be the oath abovefaid, and no other.

ART. X. No Person or Persons, who shall at any time hereafter break these articles,

L

ticles, or any of them, shall thereby make, or cause any other person or persons, to forfeit or lose the benefit of the same.

ART. XI. The lords justices* and general do promise to use their utmost endeavours, that all the persons comprehended in the above mentioned articles, shall be protected and defended from all arrests and executions for debt or damage, for the space of eight months, next ensuing the date hereof.

ART. XII. The lords justices and general do undertake, that their majesties will ratify these articles, within the space of eight months, or sooner, and use their utmost endeavours, that the same shall be ratified and confirmed in parliament.

ART. XIII. Lastly, And whereas Colonel *John Brown* stood indebted to several Protestants, by judgments of record; which appearing to the late government, the Lord
Tyrconnel,

* These lords justices were then lords of the regency in *Ireland*, as there was no Lord Lieutenant there.

Tyrconnel, and Lord *Lucan*, took away the effects the said *John Brown* had to answer the said debts, and promised to clear the said *John Brown* of the said debts; which effects were taken for the public use of the *Irish*, and their army: for freeing the said Lord *Lucan* of his said engagement, passed on their public account, for payment of the said Protestants, and for preventing the ruin of the said *John Brown*, and for satisfaction of his creditors, at the instance of the Lord *Lucan*, and the rest of the persons aforesaid, it is agreed, that the said lords justices, and the said baron *de Ginckle*, shall intercede with the king and parliament, to have the estates secured to *Roman Catholics*, by articles and capitulation in this kingdom, charged with, and equally liable to the payment of so much of the said debts, as the said Lord *Lucan*, upon stating accompts with the said *John Brown*, shall certify under his hand, that the effects taken from the said *Brown* amount unto; which accout is to be stated, and the balance certified by the
 Lord

Lord *Lucan* in one and twenty days after
the date hereof:

For the true performance hereof, we
have hereunto set our hands,

Present,
Scravemore.
H. Maccay.
T. Talmaſh.

Char. Porter.
Tho. Coningſby,
Bar. De Ginckle.

AND *whereas* the ſaid city of *Limerick*
hath been ſince, in purſuance of
the ſaid articles, ſurrendered unto us, *now*
know ye, that we having conſidered of the
ſaid articles, are graciouſly pleaſed hereby
to declare, that we do for us, our heirs
and ſucceſſors, as far as in us lies, ratifie
and confirm the ſame, and every claufe,
matter and thing therein contained. And
as to ſuch parts thereof, for which an act
of parliament ſhall be found to be neceſſa-
ry, we ſhall recommend the ſame to be
made good by parliament, and ſhall give
our

our royal assent to any bill or bills, that shall be passed by our two Houses of Parliament to that purpose. *And whereas* it appears unto us, that it was agreed between the parties to the said articles, that after the words *Limerick, Clare, Kerry, Cork, Mayo*, or any of them, in the second of the said articles, the words following, *viz. and all such as are under their protection in the said counties*, should be inserted, and be part of the said articles: which words having been casually omitted by the writer, the omission was not discovered till after the said articles were signed, but was taken notice of before the second town was surrendered: and that our said justices and general, or one of them, did promise that the said clause should be made good, it being within the intention of the capitulation, and inserted in the foul draught thereof: *our further will and pleasure is*, and we do hereby ratify and confirm the said omitted words, *viz. [And all such as are under their protection in the said counties]* Hereby for us, our heirs and successors, ordaining and declaring, that all and every
 person

person and persons therein concerned, shall and may have, receive, and enjoy the benefit thereof, in such and the same manner, as if the said words had been inserted in their proper place, in the said second article; any omission, defect, or mistake in the said second article, in any wise notwithstanding. *Provided* always, and our will and pleasure is, that these our letters patents shall be enrolled in our court of *Chancery*, in our said kingdom of *Ireland*, within the space of one year next ensuing. *In witness, &c. Witness* our seal at *Westminster*, the twenty-fourth day of *February*, anno regni regis & reginæ *Gulielmi & Mariæ quarto per breve de privato sigillo. Nos autem tenorem premissor. predict. Ad requisitionem attornat. general. domini regis & dominæ reginæ pro regno Hiberniæ. duximus exemplificand. per presentes. In cujus rei testimonium has literas nostras fieri fecimus patentes. Testibus nobis ipsis apud Westmon. quinto die Aprilis, annoq. regni eorum quarto.*
 BRIDGES.

Examinat.	{ S. Keck	} In Cancel.
per nos	{ Lacon Wm. Childe	

The Oath of Fidelity or Allegiance required by the second Article of this Treaty,

I. A. B. *do sincerely Promise and Swear, that I will be faithful, and bear true Allegiance to their Majesties King William and Queen Mary.*

So Help Me God

The Oath of Fidelity or Allegiance re-
quired by the second Article of this
Treaty.

I, A. B. do hereby swear and declare
that I will be faithful and bear true alle-
giance to their Majesty King William and
Queen Mary.